

## **REMARKS/ARGUMENTS**

### **Response to Arguments – 35 USC § 103(a)**

The Applicant maintains that Brown fails to teach the previous claim feature of printing coded data and visible information simultaneously via different color channels in a printer.

Nevertheless, in deference to the Examiner's rejection, claims 1 and 82 have been recast to define other features which are not described in the cited documents. Basis for the amendments to claim 1 can be found at page 18, lines 13-14 and page 21, lines 4-8 of the description. Claims 4 and 86 have been cancelled, as well as several of the dependent claims, for consistency with claim 1.

In his previous rejection of claim 49, the Examiner relied on the disclosure of Bennet (US 5,051,736) in combination with Dymetman.

Bennett describes, at column 11, lines 59-62, the use of perspective distortion in order to determine the tilt angle of a stylus. Bennett makes the assumption that the physical axis of the pen and the optical axis are coincident, as shown in Figure 2.

However, in the present invention these axes are different from each other. Accordingly, the present invention uses a 2D perspective transform, as calculated from sensing perspective structures in a tag, in order to accurately determine the position of the pen nib on the surface. The use of a perspective transform to determine a position of pen nib in a pen having different physical and optical axes was not suggested in any of the prior art documents.

In Bennett's pen the optical and physical axes are required to be coincident which puts constraints on the design of the pen. Presumably, Dymetman's pen would have been similarly designed. However, the present invention allows flexibility in pen design without compromising on accuracy of position determination for the nib. Given the lack of any teaching in the prior art that would lead the skilled person to the present invention, it is submitted that the invention as now defined in claims 1 and 82 is not obvious.

It is respectfully submitted that all of the Examiner's objections have been successfully traversed. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application is courteously solicited.

Very respectfully,

Applicant/s:



---

Paul Lapstun



---

Kia Silverbrook

C/o: Silverbrook Research Pty Ltd  
393 Darling Street  
Balmain NSW 2041, Australia

Email: [kia.silverbrook@silverbrookresearch.com](mailto:kia.silverbrook@silverbrookresearch.com)

Telephone: +612 9818 6633

Facsimile: +61 2 9555 7762